

RECEIVED  
CENTRAL FAX CENTER

JAN 19 2007

PATENT APPLN. NO. 10/786,594  
RESPONSE UNDER 37 C.F.R. § 1.116

PATENT  
FINAL

IN THE CLAIMS:

1 - 6. (canceled)

7. (previously presented) A nonaqueous electrolyte battery comprising a positive electrode including sulfur as an active material, a negative electrode including calcium as an active material, and an electrolyte including a calcium salt,

wherein the calcium salt includes at least one of an imide salt and sulfonic acid salt.

8. (canceled)

9. (previously presented) The nonaqueous electrolyte battery according to claim 7, wherein the imide salt is an alkylsulfonyl imide salt.

10. (original) The nonaqueous electrolyte battery according to claim 9, wherein the alkylsulfonyl imide salt is calcium bis (trifluoromethylsulfonyl) imide,  $\text{Ca}[\text{N}(\text{CF}_3\text{SO}_2)_2]_2$ .

11. (previously presented) The nonaqueous electrolyte battery according to claim 7, wherein the sulfonic acid salt is an alkylsulfonic acid salt.

12. (original) The nonaqueous electrolyte battery according to claim 11, wherein the alkylsulfonic acid salt is calcium trifluoromethanesulfonate,  $\text{Ca}(\text{CF}_3\text{SO}_3)_2$ .

13. (original) The nonaqueous electrolyte battery according to claim 7, wherein the negative electrode includes at least one of calcium metals, calcium alloys, calcium oxides, silicon, carbon and sulfides of transition metals.